

### DECLARATION AND POWER OF ATTORNEY

As a below named inventor, I declare that:

My residence, post office address and citizenship are as stated below next to my name; I believe I am the original, first and sole inventor (if only one name is listed below) or an original, first and joint inventor (if plural inventors are named below) of the subject matter which is claimed and for which a patent is sought on the invention entitled: "Method and Apparatus for Observing and Inspecting Defects," the specification of which was filed on September 14, 1999, as Application No. 09/397,334 and was amended on \_\_\_\_\_ (if applicable).

I have reviewed and understand the contents of the above identified specification, including the claims, as amended by any amendment referred to above. I acknowledge the duty to disclose information which is material to the examination of this application in accordance with Title 37, Code of Federal Regulations, Section 1.56. I claim foreign priority benefits under Title 35, United States Code, Section 119 of any foreign application(s) for patent or inventor's certificate listed below and have also identified below any foreign application for patent or inventor's certificate having a filing date before that of the application on which priority is claimed.

#### Prior Foreign Application(s)

Country	Application No.	Date of Filing	Priority Claimed Under 35 USC 119
Japan	10-264276	September 18, 1998	Yes

I hereby claim the benefit under Title 35, United States Code § 119(e) of any United States provisional application(s) listed below:

Application No.	Filing Date

I claim the benefit under Title 35, United States Code, Section 120 of any United States application(s) listed below and, insofar as the subject matter of each of the claims of this application is not disclosed in the prior United States application in the manner provided by the first paragraph of Title 35, United States Code, Section 112, I acknowledge the duty to disclose material information as defined in Title 37, Code of Federal Regulations, Section 1.56 which occurred between the filing date of the prior application and the national or PCT international filing date of this application:

Application No.	Date of Filing	Status

**POWER OF ATTORNEY:** As a named inventor, I hereby appoint the following attorney(s) and/or agent(s) to prosecute this application and transact all business in the Patent and Trademark Office connected therewith.

Robert C. Colwell, Reg. No. 27,431  
William L. Shaffer, Reg. No. 37,234  
Paul A. Durdik, Reg. No. 37,819  
Kim Kanzaki, Reg. No. 37,652  
George B.F. Yee, Reg. No. 37,478

Send Correspondence to: Robert C. Colwell TOWNSEND and TOWNSEND and CREW LLP Tw Embarcader Center, 8 <sup>th</sup> Floor San Francisco, California 94111-3834	Direct Telephone Calls to: (Name, Reg. No., Telephone No.) Name: Robert C. Colwell Reg. No.: 27,431 Telephone: 650-326-2400
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DECLARATION AND POWER OF ATTORNEY -- Continued

Attorney Docket No. 16869P-004600

Client Ref. No. 219800332US1

I further declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code, and that such willful false statements may jeopardize the validity of the application or any patent issuing thereon.

Inventor No. 1:

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Date: December 10, 1999

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Date: December 6, 1999

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Date: December 20, 1999

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Date: December 10, 1999

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Date: December 13, 1999

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Kenji Oka  
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Date: December 6th, 1999

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Citizenship: Japan

Kenji Watanabe  
Kenji Watanabe  
Date: Dec. 8th, 1999



16869P-004600  
UNITED STATES DEPARTMENT OF COMMERCE  
Patent and Trademark Office  
ASSISTANT SECRETARY AND COMMISSIONER  
OF PATENTS AND TRADEMARKS  
Washington, D.C. 20231

RC Colwell



\*101280699A\*

APRIL 03, 2000

PTAS

TOWNSEND AND TOWNSEND AND CREW LLP  
ROBERT C. COLWELL  
TWO EMBARCADERO CENTER, 8TH FLOOR  
SAN FRANCISCO, CALIFORNIA 94111-3834

UNITED STATES PATENT AND TRADEMARK OFFICE  
NOTICE OF RECORDATION OF ASSIGNMENT DOCUMENT

THE ENCLOSED DOCUMENT HAS BEEN RECORDED BY THE ASSIGNMENT DIVISION OF THE U.S. PATENT AND TRADEMARK OFFICE. A COMPLETE MICROFILM COPY IS AVAILABLE AT THE ASSIGNMENT SEARCH ROOM ON THE REEL AND FRAME NUMBER REFERENCED BELOW.

PLEASE REVIEW ALL INFORMATION CONTAINED ON THIS NOTICE. THE INFORMATION CONTAINED ON THIS RECORDATION NOTICE REFLECTS THE DATA PRESENT IN THE PATENT AND TRADEMARK ASSIGNMENT SYSTEM. IF YOU SHOULD FIND ANY ERRORS OR HAVE QUESTIONS CONCERNING THIS NOTICE, YOU MAY CONTACT THE EMPLOYEE WHOSE NAME APPEARS ON THIS NOTICE AT 703-308-9723. PLEASE SEND REQUEST FOR CORRECTION TO: U.S. PATENT AND TRADEMARK OFFICE, ASSIGNMENT DIVISION, BOX ASSIGNMENTS, CG-4, 1213 JEFFERSON DAVIS HWY, SUITE 320, WASHINGTON, D.C. 20231.

RECORDATION DATE: 01/13/2000

REEL/FRAME: 010493/0533  
NUMBER OF PAGES: 4

BRIEF: ASSIGNMENT OF ASSIGNOR'S INTEREST (SEE DOCUMENT FOR DETAILS).

ASSIGNOR:

SHIBATA, YUKIHIRO

DOC DATE: 12/10/1999

ASSIGNOR:

MAEDA, SHUNJI

DOC DATE: 12/06/1999

ASSIGNOR:

YAMAGUCHI, KAZUO

DOC DATE: 12/20/1999

ASSIGNOR:

YOSHIDA, MINORU

DOC DATE: 12/10/1999

ASSIGNOR:

YOSHIDA, ATSUSHI

DOC DATE: 12/13/1999

ASSIGNOR:

OKA, KENJI

DOC DATE: 12/06/1999

ASSIGNOR:

WATANABE, KENJI

DOC DATE: 12/08/1999

010493/0533 PAGE 2

ASSIGNEE:

HITACHI, LTD.  
6, KANDA SURUGADAI 4-CHOME,  
CHIYODA-KU  
TOKYO, JAPAN

SERIAL NUMBER: 09397334

PATENT NUMBER:

FILING DATE: 09/14/1999

ISSUE DATE:

SHARON LATIMER, EXAMINER  
ASSIGNMENT DIVISION  
OFFICE OF PUBLIC RECORDS

01-21-2000

Docket No. 16869P-004600  
ent Ref. No. 219800332US1

MRD 1.13.00

FORM PTO-1595  
(Rev. 6-93)U.S. Department of Commerce  
Patent and Trademark Office

101280699

To the Honorable Asst. Commissioner for Patents. Please record the attached original documents or copy thereof

## 1. Name of conveying party(ies):

Yukihiro Shibata

Additional name(s) of conveying parties attached?

☒ Yes ☐ No.

## 2. Name and address of receiving party(ies)

Name: Hitachi, Ltd.

Internal Address:

Street Address: 6, Kanda Surugadai 4-chome,  
Chiyoda-ku

City: Tokyo Country: Japan

Additional names and addresses attached?

☐ Yes ☒ No

## 3. Nature of conveyance:

- ☒ Assignment ☐ Merger  
☐ Security Agreement ☐ Change of Name  
☐ Other:

## Execution Dates:

December 6, 1999 (Inventors Maeda and Oka);  
 December 8, 1999 (Inventor Watanabe);  
 December 10, 1999 (Inventors Shibata and M. Yoshida);  
 December 13, 1999 (Inventor A. Yoshida); and  
 December 20, 1999 (Inventor Yamaguchi)

## 4. Application Number(s) or Patent Numbers.

If this document is being filed together with a new application, the execution date of the application is:

A. Patent Application No(s): 09/397,334

B. Patent No(s):

Additional numbers attached?

☐ Yes ☒ No

## 5. Name and address of party to whom correspondence concerning document should be mailed:

Name: Robert C. Colwell  
 TOWNSEND AND TOWNSEND AND CREW LLP  
 Two Embarcadero Center, 8<sup>th</sup> Floor  
 San Francisco, California 94111-3834  
 (415) 576-0200

## 6. Total number of applications and patents involved 1

## 7. Total fee (37 CFR 3.41): \$40.00

- ☐ Enclosed ☒ Charge Fees to Deposit Account  
☒ Charge any additional fees associated with this paper or during the pendency of this application, or credit any overpayment, to deposit account.

## 8. Deposit account number: 20-1430

## DO NOT USE THIS SPACE

## 9. Statement and signature.

To the best of my knowledge and belief, the foregoing is true and correct and any attached copy is a true of copy of the original document.

Robert C. Colwell  
 Name of Person Signing

Signature

Date

Atty Reg. No. 27,431

Total number of pages including cover sheet, attachments and document - 4 -

## 10. Change Correspondence Address to that of Part 5?

☐ Yes ☐ No

OMB N . 0651-0011 ( xp. 4/94)

Mail documents to be recorded with required cover to:

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01/21/2000 DNGUYEN 00000019 201430 09397334

Asst. Commissioner for Patents  
 Box: Assignments  
 Washington, D.C. 20231

01 FC:581

40.00 CH

1. Additional name(s) of conveying party(ies):  
(Continued from Page 1)

Shunji Maeda  
Kazuo Yamaguchi  
Minoru Yoshida  
Atsushi Yoshida  
Kenji Oka  
Kenji Watanabe

2. Additional name(s) and address(es) of receiving party(ies):  
(Continued from Page 1)

3. Additional application number(s) or patent number(s):  
(Continued from Page 1)

A. Patent Application No.(s)

B. Patent No.(s)

ASSIGNMENT OF PATENT APPLICATION

JOINT

WHEREAS, the below-listed individuals, herein referred to as "Assignors," are the inventors of the invention described and set forth in the following application for United States Letters Patent:

Title of Invention: Method and Apparatus for Observing  
and Inspecting Defects

Date(s) of Execution of Declaration: \_\_\_\_\_

Filing Date: September 14, 1999

Application No.: 09/397,334; and

WHEREAS, **Hitachi, Ltd.**, 6, Kanda Surugadai 4-chome, Chiyoda-ku, Tokyo, Japan, hereinafter referred to as "ASSIGNEE," is desirous of acquiring an interest in the invention and application and in any U.S. Letters Patent and Registrations which may be granted on the same;

For good and valuable consideration, receipt of which is hereby acknowledged by Assignors, Assignors have assigned, and by these presents do assign to Assignee all right, title and interest in and to the invention and application and to all foreign counterparts (including patent, utility model and industrial designs), and in and to any Letters Patent and Registrations which may hereafter be granted on the same in the United States and all countries throughout the world, and to claim the priority from the application as provided by the Paris Convention. The right, title and interest is to be held and enjoyed by Assignee and Assignee's successors and assigns as fully and exclusively as it would have been held and enjoyed by Assignors had this Assignment not been made, for the full term of any Letters Patent and Registrations which may be granted thereon, or of any division, renewal, continuation in whole or in part, substitution, conversion, reissue, prolongation or extension thereof.

Assignors further agree that they will, without charge to Assignee, but at Assignee's expense, (a) cooperate with Assignee in the prosecution of U.S. Patent applications and foreign counterparts on the invention and any improvements, (b) execute, verify, acknowledge and deliver all such further papers, including patent applications and instruments of transfer, and (c) perform such other acts as Assignee lawfully may request to obtain or maintain Letters Patent and Registrations for the invention and improvements in any and all countries, and to vest title thereto in Assignee, or Assignee's successors and assigns.

Assignors hereby authorize and request Townsend and Townsend and Crew LLP, Two Embarcadero Center, 8<sup>th</sup> Floor, San Francisco, CA 94111-3834, to insert herein above the application number and filing date of said application when known.

IN TESTIMONY WHEREOF, Assignors have signed their names on the dates indicated.

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Yukihiro Shibata  
Yukihiro Shibata

Date: December 10, 1999

ASSIGNMENT OF LETTERS PATENT -- Continued

Attorney Docket No. 16869P-004600  
Client Ref. No. 219800332US1

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Date: December 6, 1999

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Date: Dec. 8th, 1999